



GRIFFITH COLLEGE

FORCE MAJEURE POLICY

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1 POLICY STATEMENT

Force Majeure Leave is emergency leave that is granted to a staff member where there is an urgent family reason due to an injury/illness affecting the staff member's immediate family described below, making their immediate presence to assist that family member indispensable.

2 GENERAL PROVISIONS

2.1 Force majeure leave is emergency paid leave which may be granted in respect of the following persons who are in need of significant care or support for a serious medical reason:

- A child in the care of the staff member, whether they are the parent/adoptive parent.
- A person to whom the staff member is in loco parentis.
- The spouse/partner of the staff member
- A brother or sister of the staff member
- A parent or grandparent of the staff member
- Other person not described above who resides with the employee in a relationship of domestic dependency.

A person who resides with an employee is taken to be in a relationship of domestic dependency with the employee if, in the event of injury or illness, one reasonably relies on the other to make arrangements for the provision of care. The sexual orientation of the persons concerned is immaterial.

2.2 Force majeure leave must relate to urgent family reasons. Scheduled appointments for which the presence of a staff member is necessary are not eligible for force majeure leave.

2.3 Child minding is not covered by force majeure leave.

2.4 Illness/injury must require significant care or support for a serious medical reason.

2.5 Force majeure leave may consist of one or more days up to a maximum of three (3) days in 12 consecutive months or five (5) days in 36 consecutive months.



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- 2.6 There is no minimum service requirement for entitlement to this leave.
- 2.7 Where force majeure leave is taken for less than one day it is counted as one day.
- 2.8 If a staff member has provided incorrect information to the College or is found to have availed of force majeure leave in circumstances which are false, disciplinary action may be taken and the staff member may be subject to disciplinary sanction, up to an including dismissal.
- 2.10 A staff member shall not be penalised for proposing to exercise or having exercised their entitlement to Carer's Leave.
- 2.11 A staff member shall, while on force majeure leave, be regarded for all purposes relating to his or her employment as still working in the employment concerned and none of his or her rights relating to the employment shall be affected by the leave.
- 2.12 If a family member has died, you do not have an entitlement to force majeure leave. Instead, you may be able to take 'compassionate leave'.

3 PROCEDURE

- 3.1 The staff member who avails of force majeure leave must as soon as reasonably practicable on return to work complete the Force Majeure Leave Form set out in Appendix A, outlining the reason for the leave and the leave dates. This Form must be submitted by the staff member to their Manager.
- 3.2 The Manager will be responsible for approving the Force Majeure Leave Form and will forward it to the HR Department which may require further information.
- 3.3 Where the reason for the leave does not comply with the Act, the staff member may be required to take annual leave or other leave (as applicable) and the Manager will inform the HR Department.
- 3.4 The College must keep records of Force Majeure Leave periods taken by a staff member for eight years.



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4 REVIEW PROCESS

The College reserves the right to review, update, amend, replace or delete this policy. The policy will be reviewed on an ongoing basis and it is the responsibility of each staff member to ensure that they keep themselves up to date.

5 FORCE MAJEURE LEAVE APPLICATION FORM

The Force Majeure Form set out in Appendix A must be completed by a staff member who has taken force majeure leave as soon as reasonably practicable after the leave.



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APPENDIX A

FORCE MAJEURE LEAVE REQUEST FORM

Please fill in the form below and upload it to BambooHR after your line manager's approval, where it will be actioned by the HR team as soon as possible. If you have any questions, please don't hesitate to contact the HR department for assistance.

Employee Name & Address	
Department or Faculty	
Employee Location	
Line Manager Name	

Start date:	
End date:	
Proposed return to work date:	
Total number of days leave requested:	
Approved by the line manager	

I confirm that I will take/have taken Force Majeure Leave on the above-mentioned date(s) because of urgent family reasons as a result of injury to / illness of a member of my immediate family which requires/required my immediate presence at their address and that my presence is/was indispensable.

I declare that the information given by me above is true, accurate and complete in all respects.

Signature of Employee: _____ Date: _____



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HR Use Only

Process complete on Bamboo HR (Yes/No)	
Optional Information (if required) that may be requested through the HR Department: Name and Address of Injured/Ill Person Relationship to Staff Member Nature of injury or illness	